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JAN 24 1995

NEW JERSEY BOARD OF
CHIROPRACTIC EXAMINERS

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STATE OF NEW JERSEY
DEPARTMENT OF LAW AND PUBLIC SAFETY
DIVISION OF CONSUMER AFFAIRS
STATE BOARD OF CHIROPRACTIC EXAMINERS

IN THE MATTER OF:	:	
	:	
Alfred Fenelle, D.C.	:	Administrative Action
License No. MC05183	:	
	:	
	:	
LICENSED TO PRACTICE CHIROPRACTIC	:	CONSENT ORDER
IN THE STATE OF NEW JERSEY	:	

This matter was opened to the State Board of Chiropractic Examiners ("Board") upon receipt of information that Alfred Fenelle, D.C. (hereinafter "Respondent") caused to be published two advertisements entitled "The Unsuspected Trauma at Birth" and "DARE to keep your kids off Drugs...Which Drugs?" which allegedly contained false, misleading or deceptive information. Copies of the advertisements are attached to this order.

Upon review of the subject advertisements, the Board finds the said advertisements to be substantially fraudulent and misleading in violation of N.J.S.A. 45:1-21(b) and (h) and N.J.A.C. 13:44-2.1(c)1, 4, and 6.

It appearing that the parties wish to resolve this matter without recourse to formal proceedings and for good case shown;

IT IS ON THIS 24th DAY OF January, 1995
HEREBY ORDERED AND AGREED THAT:

1. Respondent shall cease and desist from publishing or causing to be published any advertisement which:

(a) implies a correlation between prevention of SIDS (sudden infant death syndrome or crib death) and chiropractic care of vertebral subluxation;

(b) implies that chiropractic care can prevent SIDS;

(c) by words or illustrations uses "scare tactics" to solicit patients for chiropractic care by focusing on "trauma at birth," "decapitation," "cervical injury during childbirth," "spinal trauma," and similar verbal tactics;

(d) by words or illustrations uses "scare tactics" to suggest an identification between accepted prescription medications for illness and abuse of illegally used drugs; and

(e) uses the terms "DARE" to suggest an endorsement by the group "DARE" of the views set forth in an ad; and

2. Respondent shall, contemporaneously with the entry of this Order, pay a penalty to the Board in the amount of five hundred (\$500) dollars by certified check or money order.

NEW JERSEY STATE BOARD
OF CHIROPRACTIC EXAMINERS

By: _____

Robert Tarantino, D.C.
President

I have read the within Consent Order and understand its terms. I hereby consent to the form and entry of this Consent Order.

Alfred Fenelle, D.C.